



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/467,503	12/20/1999	GREGORY MAURICE PLOW	ST999007/128	2479

7590 08/27/2003

JOSEPH A SAWYER JR
SAWYER & ASSOCIATES
P O BOX 51418
PALO ALTO, CA 94303

EXAMINER

NGUYEN, NHON D

ART UNIT PAPER NUMBER

2174

DATE MAILED: 08/27/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/467,503	Applicant(s) PLOW ET AL.	
	Examiner Nhon (Gary) D Nguyen	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-19, 21-29 and 31-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-19, 21-29, and 31-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-9, 11-19, 21-29, and 31, 32, and 35-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Jaaskelainen, Jr. (US #6,002,397).

As per independent claim 1, Jaaskelainen, Jr. teaches a method for displaying hidden information on a display screen, the display screen displaying a plurality of application windows, a first window of the plurality of application windows obscuring the hidden information within a second window of the plurality of application windows (fig. 2A; from col. 4, lines 64-67 through col. 5, lines 1-12), comprising the steps of:

creating a viewport as a topmost window in response to a first user interaction (*window hatch 110*; fig. 2B; col. 5, lines 12-27 and lines 35-41);

associating the second application window with the viewport in response to a second user interaction; displaying the hidden information in the viewport whenever the viewport is positioned over the hidden information (fig. 2B; col. 5, lines 26-35);

capturing at least a portion of the hidden information displayed in the viewport as static information in the viewport (hidden information captured in window hatch 110 of fig. 2B is static).

As per claim 2, which is dependent on claim 1, Jaaskelainen, Jr. teaches a third application window obscures the hidden information within the second window (fig. 2A; from col. 4, lines 64-67 through col. 5, lines 1-12).

As per claim 3, which is dependent on claim 1, Jaaskelainen, Jr. teaches displaying the hidden information in the viewport includes displaying a portion of the hidden information (fig. 2B; col. 5, lines 26-35).

As per claim 4, which is dependent on claim 1, Jaaskelainen, Jr. teaches creating a viewport as a topmost window in response to a first user interaction includes providing an application viewport tool (col. 5, lines 50-55 and col. 6, lines 6-13).

As per claim 5, which is dependent on claim 1, Jaaskelainen, Jr. teaches the method of claim 1 further comprising the step of:

relocating the viewport wherein a first portion of the display occupied by the viewport and displaying the hidden information is restored to a normal display of the first application window upon moving the viewport to a second portion of the display that is not contiguous with the first portion (col. 5, lines 51-55); it is inherent in Jaaskelainen's system that when the window hatch

Art Unit: 2174

is repositioned to the second portion of the display that is not contiguous with the first portion, the display (in the first portion) occupied by the window hatch and displaying the hidden information is restored to a normal display of the first application window.

As per claim 6, which is dependent on claim 1, Jaaskelainen, Jr. teaches the method of claim 1 further comprising the step of.

capturing the hidden information displayed within the viewport wherein the hidden information displayed within the viewport becomes invariant in response to a user interaction (col. 12, lines 35-41).

As per claim 7, which is dependent on claim 6, Jaaskelainen, Jr. teaches the method of claim 6 further comprising the steps of.

relocating the viewport from a first portion of the display to a second portion of the display; continuing to display the invariant hidden information within the viewport (col. 12, lines 35-41).

As per claim 8, which is dependent on claim 1, Jaaskelainen, Jr. teaches the viewport can be resized (col. 10, lines 26-33).

As per claim 9, which is dependent on claim 1, Jaaskelainen, Jr. teaches the viewport includes a plurality of viewports (fig. 2E; col. 6, lines 22-27).

Art Unit: 2174

As per independent claim 11, it is a similar scope to claim 1; therefore, it should be rejected under similar rationale.

As per claim 12, which is dependent on claim 11, it is a similar scope to claim 2; therefore, it should be rejected under similar rationale.

As per claim 13, which is dependent on claim 11, it is a similar scope to claim 3; therefore, it should be rejected under similar rationale.

As per claim 14, which is dependent on claim 11, it is a similar scope to claim 4; therefore, it should be rejected under similar rationale.

As per claim 15, which is dependent on claim 11, it is a similar scope to claim 5; therefore, it should be rejected under similar rationale.

As per claim 16, which is dependent on claim 11, it is a similar scope to claim 6; therefore, it should be rejected under similar rationale.

As per claim 17, which is dependent on claim 16, it is a similar scope to claim 7; therefore, it should be rejected under similar rationale.

Art Unit: 2174

As per claim 18, which is dependent on claim 11, it is a similar scope to claim 8; therefore, it should be rejected under similar rationale.

As per claim 19, which is dependent on claim 11, it is a similar scope to claim 9; therefore, it should be rejected under similar rationale.

As per independent claim 21, it is a similar scope to claim 1; therefore, it should be rejected under similar rationale.

As per claim 22, which is dependent on claim 21, it is a similar scope to claim 2; therefore, it should be rejected under similar rationale.

As per claim 23, which is dependent on claim 21, it is a similar scope to claim 3; therefore, it should be rejected under similar rationale.

As per claim 24, which is dependent on claim 21, it is a similar scope to claim 4; therefore, it should be rejected under similar rationale.

As per claim 25, which is dependent on claim 21, it is a similar scope to claim 5; therefore, it should be rejected under similar rationale.

Art Unit: 2174

As per claim 26, which is dependent on claim 21, it is a similar scope to claim 6; therefore, it should be rejected under similar rationale.

As per claim 27, which is dependent on claim 26, it is a similar scope to claim 7; therefore, it should be rejected under similar rationale.

As per claim 28, which is dependent on claim 21, it is a similar scope to claim 8; therefore, it should be rejected under similar rationale.

As per claim 29, which is dependent on claim 21, it is a similar scope to claim 9; therefore, it should be rejected under similar rationale.

As per independent claim 31, it is a similar scope to claim 1 and 3; therefore, it should be rejected under similar rationale.

As per independent claim 32, it is a similar scope to claim 1 and 3; therefore, it should be rejected under similar rationale.

As per independent claim 35, it is a similar scope to claim 1; therefore, it should be rejected under similar rationale.

As per independent claim 36, Jaaskelainen, Jr. teaches a method for displaying hidden information on a display screen, the display screen displaying a plurality of application windows, a first window of the plurality of application windows obscuring the hidden information within a second window of the plurality of application windows (fig. 2A; from col. 4, lines 64-67 through col. 5, lines 1-12), comprising the steps of:

creating a viewport as a topmost window in response to a first user interaction (*window hatch 110*; fig. 2B; col. 5, lines 12-27 and lines 35-41);

associating the second application window with the viewport in response to a second user interaction; and displaying the hidden information in the viewport whenever the viewport is positioned over the hidden information wherein movement of the hidden information within the second window is influenced by the viewport (fig. 2B; col. 5, lines 26-35). It is further notice that a user can move the window hatch 110 (fig. 2B) to reveal different hidden information by defining new hatch areas (col. 5, lines 25-35 and lines 50-55). As a result, movement of the hidden information within the second window (104 of fig. 2B) is influenced by the movement of the hatch areas.

As per independent claims 37-40, these claims are rejected under the same rationale as claim 36.

As per independent claim 41, Jaaskelainen, Jr. teaches a method for displaying hidden information on a display screen, the display screen displaying a plurality of application windows, a first window of the plurality of application windows obscuring the hidden information within

Art Unit: 2174

both a second window and a third window of the plurality of application windows (fig. 2A; from col. 4, lines 64-67 through col. 5, lines 1-12), comprising the steps of:

creating a viewport as a topmost window in response to a first user interaction (*window hatch 110*; fig. 2B; col. 5, lines 12-27 and lines 35-41);

associating either one of the second application window and the third application window with the viewport in response to a second user interaction; and displaying the hidden information of the associated window in the viewport whenever the viewport is positioned over the hidden information (fig. 2B, col. 5, lines 26-35; fig. 2C, col. 5, line 56 – col. 6, line 3; col. 6, lines 6-13).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Jaaskelainen, Jr. (US #6,002,397) in view of Diedrichsen et al (“Diedrichsen”, US #5,920,313).

As per independent claim 33, Jaaskelainen, Jr. teaches a method for displaying hidden information on a display screen, the display screen displaying a plurality of application windows, a first window of the plurality of application windows obscuring the hidden information within a second window of the plurality of application windows (fig. 2A; from col. 4, lines 64-67 through col. 5, lines 1-12), comprising the steps of:

Art Unit: 2174

creating a viewport as a topmost window in response to a first user interaction wherein the viewport includes a minimize all button (*window hatch 110*; fig. 2B; col. 5, lines 12-27 and lines 35-41);

Jaaskelainen, Jr. does not disclose the viewport includes a minimize all button. According to Diedrichsen, the OS/2 Workplace developed by International Business Machines Corporation features the use of collections of related windows (work area) whose behavior is coordinated. If the user minimizes a work area all windows opened from an object in that work area are removed from the desktop; if a user restores a work area, all windows that were open when the work area was closed are restored to their previous positions (col. 2, lines 11-18). It would have been obvious to an artisan at the time of the invention to use the teaching from Diedrichsen of the viewport includes a minimize all button in Jaaskelainen, Jr.'s method since it would be a faster process of minimizing all windows.

associating the second application window with the viewport in response to a second user interaction; displaying the hidden information in the viewport whenever the viewport is positioned over the hidden information (fig. 2B; col. 5, lines 26-35); and

capturing the hidden information displayed within the viewport wherein the hidden information displayed within the viewport becomes invariant in response to a user interaction (the hidden information in window hatch 110 of fig. 2B would not be changed in response to a click on it from a user).

As per independent claim 34, it is a similar scope to claim 33; therefore, it should be rejected under similar rationale.

Response to Arguments

Applicant's arguments filed 7/15/2003 have been fully considered but they are not persuasive.

Applicants argued the following:

(a) There is no basis to combine Jaaskelainen, Jr. with Diedrichsen. Jaaskelainen, Jr. does not teach associating any of the window mode controls with the hatch, so a proper combination of Jaaskelainen, Jr. with Diedrichsen would add the minimize all button to all the applications that support the hatches and not to the hatches themselves. Thus, the only way to minimize all the hatches would be to minimize all the windows. This is undesirable in many situations when a user desires to use the windows without the viewports/hatches. The rejection has not explained how the cited references teach the addition of a mode control to each of the hatches rather than to the window supporting the hatch.

(b) A proper combination of Jaaskelainen, Jr. and Diedrichsen would fail to satisfy all the limitations of claims 33-35, including: the capture of hidden information that becomes invariant in response to a user interaction.

(c) The cited references do not teach that aspect of the present invention in which a user is able to scroll hidden information in underlying window using the viewport. As taught in the present invention, moving a viewport will cause information revealed in the viewport to automatically scroll by simply repositioning the viewport, under the appropriate conditions.

(d) The cited reference to Jaaskelainen, Jr. teaches that a single hatch may be associated with a single underlying window, and that a user must collocate a second hatch with a first hatch

Art Unit: 2174

in order to reveal a second obscured window through the first window. One preferred embodiment of the present invention teaches that a single viewport may be associated with any obscured, underlying window, and that association may be easily changed by the user so that either window may be associated alternately with any of the obscured window. The cited reference has many special conditions to ensure collocation of windows, and special tests that are necessary because of collocated windows. The invention of claim 41 does not have these conditions and tests, and offers advantages to a user not available in the prior art.

The Examiner disagrees for the following reasons:

(a) In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). It is well known in the computer art that any window must have some type of window controls in order to minimize, maximize, or close the window. Jaaskelainen, Jr. does not specifically describe about the window controls associated with the window hatches, but window controls are inherent in Jaaskelainen, Jr.'s window hatches. Therefore, it is proper to combine Jaaskelainen, Jr. with Diedrichsen because it would be a faster process of minimizing all windows.

Art Unit: 2174

(b) According to the claimed language, “the capture of hidden information that becomes invariant in response to a user interaction”. The capture of hidden information in the window hatch in Jaaskelainen, Jr.’s system is obviously invariant in response to a user interaction. For example, the hidden information in window hatch 110 (fig. 2B) would not be changed in response to a click on it from a user.

(c) Jaaskelainen, Jr. teaches a user can move the window hatch 110 (fig. 2B) to reveal different hidden information by defining new hatch areas (col. 5, lines 25-35 and lines 50-55). As a result, movement of the hidden information within the second window (104 of fig. 2B) is influenced by the movement of the hatch areas.

(d) According to Jaaskelainen, Jr., col. 6, lines 6-13, multiple window hatches can be created easily at a particular position (e.g. at the position of window hatch 110 of fig. 2B) to help the user to look through different window hatches to reveal different hidden information in the obscured, underlying windows (windows 104 and 106 of fig. 2B and fig. 2C). Since multiple hatches can be created at the same position, they can be treated as a single window hatch having different modes, in which each mode is responsible for each associated obscured, underlying window. Therefore the multi-mode window hatch above may be associated with any obscured, underlying window, and that association may be easily changed by the user, by switching between different modes, so that the multi-mode window hatch may be associated alternately with any of the obscured window.

Inquiries

Art Unit: 2174

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is 703-305-8318. The examiner can normally be reached on Monday - Friday from 8 AM to 5:30 PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Nhon (Gary) Nguyen
August 20, 2003

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100